

Rule 44. Rules Regulating Voter Registration Drives

44.1 Statement of Intent

44.1.1 In accordance with section 1-2-701, C.R.S., et seq., the organizer of a Voter Registration Drive ("VRD") shall file a Statement of Intent with the Secretary of State to conduct a voter registration drive on a form prescribed by the Secretary of State. The Statement of Intent shall include the following information:

- (a) The name of the organization and the name of the parent organization, if applicable;
- (b) The contact information for the organization
- (c) The name of the agent (who is required to be a Colorado resident) and the contact information for that agent;
- (d) A statement specifying the counties in which the VRD intends to operate;
- (e) A notice that the voter registration drive number expires at the end of the calendar year; and
- (f) A signature line requiring the organizer's signature.

44.1.2 Any amendments to the Statement of Intent shall be filed in writing with the Secretary of State. Amendments may be made by fax, email, mail or in person.

- (a) Any amendments to the Statement of Intent concerning the county in which the VRD will conduct a drive shall be filed a minimum of three (3) business days prior to commencing voter registration activity in a given county.

44.1.3 The Secretary of State shall immediately attempt to verify the information provided in the Statement of Intent prior to issuing a number to the VRD organizer. The Secretary of State may deny a number to the voter registration drive organizer if the information provided on the Statement of Intent cannot be verified.

44.1.4 The last day for a VRD to file a Statement of Intent with the Secretary of State shall be thirty (30) days before the general election in a given calendar year.

44.2 Training

44.2.1 The organizer of the VRD shall, before commencing the distribution or circulation of voter registration applications, complete a training provided by the Secretary of State.

44.2.2 In addition to training for the organizer, the Secretary of State shall make available information for the organizer to train individual circulators. Organizers shall provide training to all circulators. Organizers shall obtain and maintain on

file signed attestations from each circulator that he or she will adhere to all the requirements of the Secretary of State election rules and the Colorado Revised Statutes pertaining to elections, and that they are aware of the penalties associated with the mishandling of voter registration application forms. The organizers shall furnish the circulator attestations to the secretary of state upon request.

44.2.3 The mandatory training provided by the Secretary of State shall include but not be limited to:

- (a) The use of the standard Colorado Voter Registration Application Form;
- (b) Information on where to obtain the standard Voter Registration Application Form;
- (c) Information on how to ensure that a Form is filled out completely; including which fields are optional and which are required, and how to fill out the receipt portion of the Form;
- (d) Notice of statutory deadlines relating to Voter Registration Applications Forms and voter registration drives;
- (e) The requirements for when and where the Voter Registration Applications Forms must be turned in;
- (f) Penalties for violating statutory prohibitions including fraud, intimidation, mishandling forms, failing to turn in forms and other penalties relevant to voter registration drives;
- (g) The handling and treatment of confidential information on the Voter Registration Application Forms; and
- (h) Notice that circulators shall not be paid per voter registration application, but if compensated, shall be paid by the hour or day.

44.2.4 After completing the training, the organizer shall sign an Acknowledgement that the training has been completed and that he or she has been duly informed of rules, laws and penalties relating to voter registration drives.

44.3 Number Assigned. After the organizer completes the required training, the Secretary of State shall assign a unique number to the VRD that meets the requirements of section 1-2-701, C.R.S., and this Rule. After issuing a unique number to the voter registration drive, the Secretary of State shall:

- (a) Advise the VRD organizer of the unique number;
- (b) Notify the county clerks within 24 hours of each registered voter registration drive registered with the Secretary of State; and
- (c) Post the organization's name and contact person on the SOS website.

44.4 Voter Registration Drive Voter Application Forms

44.4.1 The Secretary of State shall approve a standard Colorado Voter Registration Application Form to be used by the VRD that shall include a tear off receipt.

(a) The VRD may also use the National Mail Voter Registration Form. Because the National Mail Voter Registration Form does not include a tear off receipt, the applicant and VRD are afforded greater protection when the standard Colorado form is used.

44.4.2 The Secretary of State and county clerks shall make available the official, approved Colorado Voter Registration Drive Application Forms to the VRD organizer

44.4.3 The organizer shall be responsible for placing the VRD number on the application form and the receipt portion of the standard Colorado form.

44.4.4 The person circulating the Voter Registration Application Forms shall ensure that the tear-off receipt on the standard Colorado Application is completed and given to the applicant. The person circulating the voter application forms shall advise the applicant that the receipt may be needed when he or she votes.

44.4.5 The VRD organizer is not eligible to receive the approved Colorado Voter Registration drive Application Forms until the organizer has completed training, signed the statement of intent, completed and signed the Acknowledgement, and been assigned a number.

44.4.6 Any voter registration drive that provides a voter registration application on its website or a link to such voter registration form must direct the applicant to return the completed form directly to the county clerk and recorder of the applicant's legal residence. No voter registration drive may provide a voter registration form on its website or a link to such voter registration form which instructs or directs, in any way, the applicant to return the completed form to anyone or any group other than directly to the county clerk and recorder of the applicant's legal residence or, in the case of overseas electors or UOCAVA electors, the county clerk and recorder or the Secretary of State.

44.5 Renewal Procedures

44.5.1 Prior to conducting a VRD in the next calendar year, a VRD organizer that completed training and was assigned a unique VRD number in the prior year must apply for renewal and receive a new VRD number.

44.5.2 To receive a VRD number for the next calendar year, the VRD organizer may complete an online renewal within sixty (60) days after expiration of the VRD number, or attend training offered by the Secretary of State in accordance with Rule 44.2.

44.5.3 For online renewal, the VRD organizer shall complete the renewal exercise provided on the Secretary of State website. The VRD organizer shall then

submit to the Secretary of State a completed statement of intent in accordance with section 1-2-701, C.R.S., and Rule 44.1.

- a. A VRD organizer who correctly answers one hundred percent (100%) of the renewal exercise questions shall be issued a VRD number for the next calendar year.
- b. A VRD organizer who does not correctly answer one hundred percent (100%) of the renewal exercise questions shall not be issued a VRD number for the next calendar year until he or she attends a training offered by the Secretary of State.

44.5.4 A VRD organizer that attended training in person or via conference call in the previous year is eligible to complete the online renewal in the current year.

44.6 Voter Registration Drive Complaints and fines

44.6.1 Any person, including the Secretary of State, who believes a VRD organizer or circulator has not complied with the requirements of section 1-2-701 et seq., C.R.S., or this Rule 44 may file a written complaint with the Secretary of State.

44.6.2 A written complaint filed with the Secretary of State shall contain the following information:

- a. The complainant's name;
- b. The complainant's full residence address and mailing address (if different from residence);
- c. A description of the alleged violation, which may include a reference to the particular statute or rule;
- d. The name and assigned number of the VRD, if known;
- e. The date and location of the alleged violation, if known; and
- f. Other applicable or relevant information

44.6.3 The Secretary of State shall review all complaints submitted in writing and conduct such investigations as may be necessary and appropriate. If the Secretary of State determines that a violation has occurred, the Secretary of State shall impose a fine in accordance with section 1-2-703, C.R.S.

44.6.4 The Secretary of State shall review all complaints submitted in writing and conduct such investigations as may be necessary and appropriate. If the Secretary of State determines that a violation has occurred, the Secretary of State shall impose a fine in accordance with section 1-2-703, C.R.S., and notify the VRD organizer of:

- 44.6.4.1 The date and factual basis of each act with which the VRD organizer is being charged;

44.6.4.2 The particular provision of the statute violated; and

44.6.4.3 The amount of the fine imposed.

44.6.5 Notification of violation shall be sent by certified or registered mail, return receipt requested, to the last known address of the VRD organizer.

44.6.6 The VRD organizer may appeal a fine and shall have thirty (30) days following receipt of notification to submit a written response setting forth the reason(s) that the VRD organizer is appealing the fine. The VRD organizer may request, within the thirty (30) days, a hearing with the secretary of state to dispute the fine.

44.6.7 Within thirty (30) days after receipt of the written response, or hearing procedures, the secretary of state shall issue an order affirming or dismissing the imposed fine.